

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Jun 29, 2023

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

BRADLEY THOMAS DWYER,

Plaintiff,

v.

UNITED STATES JUDICIAL  
SYSTEM and UNITED STATES OF  
AMERICA,

Defendants.

No. 1:23-cv-03062-MKD

ORDER TO STRIKE UNSIGNED  
COMPLAINT AND DISMISS  
ACTION

On May 23, 2023, the Court instructed Plaintiff Bradley Thomas Dwyer, a *pro se* pretrial detainee at the Kittitas County Jail, either to pay the applicable filing fee of \$402.00 (a \$350.00 filing fee plus a \$52.00 administrative fee) to commence this action as required by 28 U.S.C. § 1914, or to properly request leave to proceed *in forma pauperis* as required by the Prison Litigation Reform Act, 28 U.S.C. § 1915(a). ECF No. 4 at 2. In addition, the Court instructed Plaintiff to sign and return the signature page of his complaint as required by Federal Rule of Civil

ORDER TO STRIKE UNSIGNED COMPLAINT AND DISMISS ACTION - 1

1 Procedure 11(a). *Id.*

2 On June 21, 2023, Plaintiff filed a Declaration and Application to Proceed *In*  
3 *Forma Pauperis* By a Prisoner Bringing a Civil Rights Action Pursuant to 42  
4 U.S.C. § 1983, along with a statement of his inmate account, covering the period of  
5 April 11, 2023, to June 5, 2023. ECF Nos. 5, 6. Plaintiff advised the Court of his  
6 unsuccessful efforts to obtain statements from the different facilities where he was  
7 confined during the preceding six months. ECF No. 5-1.

8 Most significantly, Plaintiff did not sign and return his complaint as he was  
9 twice directed to do. *See* ECF Nos. 2, 4. The Court had cautioned Plaintiff that if  
10 he failed to sign and return the signature page, then the complaint would be  
11 stricken, and the action dismissed. ECF No. 4 at 2-3. Nevertheless, Plaintiff did  
12 not sign and return the complaint to the Court.

13 Accordingly, for the reasons set forth above, and in the Court's prior Order,  
14 ECF No. 4, **IT IS ORDERED** that the complaint is **STRICKEN** under Fed. R.  
15 Civ. P. 11(a), and this action is **DISMISSED WITHOUT PREJUDICE**.

16 The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal of this  
17 Order would not be taken in good faith and would lack any arguable basis in law or  
18 fact.

1       **IT IS SO ORDERED.** The Clerk of Court is directed to enter this Order,  
2 enter judgment, provide copies to Plaintiff at his last known address, and **CLOSE**  
3 the file.

4       **DATED** June 29, 2023.

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6                               s/Mary K. Dimke  
7                               MARY K. DIMKE  
8                               UNITED STATES DISTRICT JUDGE  
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